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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JOHN HARDNEY,

12 Petitioner,

13 v.

14 LYNCH,

15 Respondent.
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Case No. 2:23-cv-00462-WBS-JDP (HC)

ORDER

17 Petitioner, a state prisoner proceeding pro se, has filed this application for a writ of habeas
18 corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate
19 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On December 5, 2023, the magistrate judge filed findings and recommendations herein
21 which were served on all parties, and which contained notice to all parties that any objections to
22 the findings and recommendations were to be filed within fourteen days. Petitioner has filed
23 objections to the findings and recommendations.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
25 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
26 court finds the findings and recommendations to be supported by the record and by proper
27 analysis.
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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed December 5, 2023, ECF No. 25, are adopted in full;
2. Respondent's motion to dismiss, ECF No. 17, is granted, and the petition is dismissed for want of jurisdiction;
3. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253; and
4. The Clerk of Court is directed to close this case and to enter judgment accordingly.

Dated: January 16, 2024



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE